

**QUINN EMANUEL URQUHART & SULLIVAN, LLP**

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

FEDERICO CERETTI, *et al.*

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 09-1161 (SMB)

**NOTICE OF MOTION AND MOTION FOR ENTRY OF ORDER UNDER RULE 15 OF THE FEDERAL RULES OF CIVIL PROCEDURE, AS INCORPORATED BY RULE 7015 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE, GRANTING MOTION FOR LEAVE TO FILE AMENDED ANSWER**

**PLEASE TAKE NOTICE** that defendants, Kingate Global Fund, Ltd. (“Kingate Global”) and Kingate Euro Fund, Ltd. (“Kingate Euro” and together with Kingate Global, the “Kingate Funds”), by and through the Kingate Funds’ undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, Alexander Hamilton Customs House, Courtroom 723, One Bowling Green, New York, NY 10004, on **June 28, 2017 at 10:00 am**, or as soon thereafter as counsel may be heard, seeking entry of an Order under Rule 15 of the Federal Rules of Civil Procedure, as incorporated in this proceeding by Rule 7015 of the Federal Rules of Bankruptcy Procedure, granting the Kingate Funds’ motion for leave to file the Amended Answer, in substantially the form attached as Exhibit A, on the grounds and for the reasons set forth in the accompanying Kingate Funds’ Memorandum Of Law In Support Of Their Unopposed Motion For Leave To Amend Their Answer.

**PLEASE TAKE FURTHER NOTICE** that any responses or objections to the Motion must: (i) be in writing, conform to the applicable rules of this Court, and be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, NY 10004, in accordance with General Order 242, by no later than **June 21, 2017 at 5:00 pm** (with a courtesy copy to the Chambers of the Honorable Stuart M. Bernstein); and (ii) served upon Quinn Emanuel Urquhart & Sullivan, LLP, 51 Madison Avenue, 22nd Floor, New York, NY 10010, Attn: Susheel Kirpalani, Robert S. Loigman, Rex Lee, and Lindsay Weber. Any objections must specifically state the interest that the objecting party has in this proceeding and the specific basis of any objection to the Motion.

**PLEASE TAKE FURTHER NOTICE** that notice of the Motion will be provided by U.S. Mail or email to all plaintiffs in this adversary proceeding pursuant to the Order

Establishing Notice Procedures (Case No. 08-1789, Dkt. No. 4560). The Kingate Funds submit that no other or further notice is required.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted.

Dated: New York, New York  
June 14, 2017

**QUINN EMANUEL URQUHART &  
SULLIVAN, LLP**

/s/ Robert S. Loigman  
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